IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE G.CHANDRAIAH

WRIT PETITION NO : 15002 of 2005

Between:

1 Bandipalle Ramakka, W/o. Nadipi Somanna,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
2 Dudekula Uduru Saheb, S/o. Uduru,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
3 Pothireddy Chinnapa Reddy, S/o. Late Rami Reddy,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
4 Kodula Pulla Reddy, S/o. Late Nagi Reddy,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
5 Dadi Naganna, S/o. Chinna Balanna,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
6 P. Govinda Reddy, S/o. Rama Subba Reddy,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
7 Boya Pedda Somanna, S/o Pedda Somanna,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
8 Dudu Pedda Swamy, S/o. Naganna,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.
9 Dudekula Chinna Uduru Saheb, S/o. Uduru,
r/o. Durvesi Village, Gadivemula Mandal, Kurnool District.

..... PETITIONERS

AND

1 The Special Deputy Collector (L.A)., S.R.B.C. Nandyal, Kurnool

District.

2 Income Tax Officer, Ward No. 1, Nandyal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Order or direction, directing the respondents herein not to deduct any part of amount from the compensation amount payable to the petitioners as per the conditional stay orders passed by this Hon'ble Court in the Appeals filed by the respondent herein, questioning the judgment and decrees passed in petitioners O.P. Nos. 136/99, 137/99, 138/99, 141/99, 143/99, 145/99, 148/99, 155/99, 158/99 on the file of the court of Principal Senior Civil Judge, Nandyal towards Income-tax and to pay the said amount without any deduction to the petitioners forthwith.

Counsel for the Petitioners:MR.B.D.MAHESWARA REDDY

Counsel for Respondent No.1: GP FOR LAND ACQUISITION

Counsel for Respondent No.2:MR S.R.ASHOK

The Court made the following :

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ)

Both counsel agree that similar controversy has already been decided by a Division Bench of this Court in W.P. No.3934 of 1989 by judgment dated 13th December, 1995 and the present controversy is squarely covered by the said judgment. Therefore, we dispose of this writ petition with a direction that the direction given in W.P.No.3934 of 1989 by the Division Bench of this Court will govern this case as well. No order as to costs.

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(Bilal Nazki, ACJ)

19th July, 2005

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(G.Chandraiah,J)

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To

1 The Special Deputy Collector (L.A)., S.R.B.C. Nandyal, Kurnool District.

2 Income Tax Officer, Ward No. 1, Nandyal, Kurnool District.

3 Two C.Cs to the G.P. for Land Acquisition, High Court Buildings, A.P., Hyderabad (OUT)

4 Two C.D copies.